

Thursday, January 29, 2015

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

ROLL CALL:

PRESENT: Kenneth Topping; Eric Meyer; James Harrison; and Don Campbell

ABSENT: Jim Irving

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Ken Topping: opens Public Comment.

Jeff Edwards: speaks.

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.

Ellen Carroll, staff: provides Commissioners with their near term schedule.

CONSENT AGENDA:

3. January 8, 2015 draft Planning Commission minutes

Thereafter, on motion of Eric Meyer, seconded by Don Campbell, the Commission approves Consent Item 3.

Motion by: Eric Meyer

Second by: Don Campbell

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

HEARINGS: (Advertised for 9:00 a.m.)

4. Continued hearing to consider a request by BELRIDGE PARK II, LLC for a Lot Line Adjustment and Tract Map (Tract 3059) with Conditional Use Permit (SUB2013-00042). The Lot Line Adjustment (SUB2014-00017) will adjust the lot lines between two legal parcels of 43,271 and 40,799 square feet each. The adjustment will result in two parcels of 9,822 square feet and 1.7 acres each. The Lot Line Adjustment portion of the project will not result in the creation of any additional parcels. The reason for the adjustment is to provide a parcel for the existing residence that can be sold while the remainder of the site continues through tract improvements and final map portion of the subdivision process. The Tract Map/Conditional Use Permit portion of the proposal is to subdivide two existing parcels totaling 1.92 acres into 14 parcels ranging in size from 3,548 to 12,509 square feet as a planned development. Thirteen of the resulting parcels will be developed with single family residences ranging in size from 1,200 to 1,300 square feet with 400-500 square foot attached garages. One parcel will be a private park area for the development. The project site is within the Residential Single Family land use category and within the South County (San Luis Bay Subarea) planning area in the community of Oceano. The site is currently developed with a single family residence on proposed Lot 14 (Lot 2 of the Lot Line Adjustment) which will remain on the property. The remainder of the site is undeveloped. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 30, 2014 for this project. Mitigation measures are proposed to address Agricultural Resources, Air Quality, Cultural Resources Public Services and Utilities, Recreation and Water and are included as conditions of approval. CONT'D FROM 12/11/14.

County File No: SUB2013-00042/TR 3059 and SUB2014-00017/COAL 14-0081. APN(s): 062-074-014 and 015.

Supervisory District: 4. Date Accepted: October 1, 2014.

Stephanie Fuhs, Project Manager. Recommend approval.

Commissioners: disclose their ex-parte contacts.

Stephanie Fuhs, Project Manager: presents staff report via a Power Point presentation.

Jim Harrison: discusses heights between parcels and parking availability.

Casey O'Conner, applicant: addresses parking and grading.

Commissioners: discuss elevation changes.

Frank Honeycutt: Public Works: states lots drain towards the street. States he does not see retaining walls changing height from the last hearing.

Casey O'Conner, applicant: reports on fire safety.

Commissioners: begin deliberations..

Eric Meyer: asking on behalf of absent Commissioner Irving -does Haws Lane comply with County standards with Mr. Honeycutt stating this is not set within County standards due to it being a private street. Asks about housing fees with Ms. Fuhs responding. Would like to know who the owner is and provides reasoning with Mr. Honeycutt responding. References Condition 2. e. regarding tree requirement and who will be responsible for maintenance with Mr. Honeycutt responding.

Commissioners: continue deliberations.

Eric Meyer: discusses height of retaining wall in reference to the height of the fence in terms of this being a common occurrence within subdivisions.

Jim Harrison: continues to have issues with the combined height of the fence and retaining wall with staff displaying height of cross sections on lots 7 & 8.

Casey O'Conner: indicates where street lights will be placed.

Commissioners: review staff's changed conditions.

Stephanie Fuhs, Project Manager: changes condition language on the over head projector.

Commissioners: discuss set back between fences leaving a gap between fences.

Thereafter, on motion of James Harrison, seconded by Don Campbell, the Commission adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Lot Line Adjustment COAL14-0081, Vesting Tentative Tract 3059, and Conditional Use Permit SUB2013-00042 based on the Findings listed in Exhibits A and C, and the conditions listed in Exhibits B, D, and F, changing Exhibit D, condition 14 to add the sentence: "Drainage shall be directed toward the interior of the project site, to the greatest extent feasible, toward on-site basins and/or vegetated swales able to accommodate all drainage flows created by the project. Drainage basins along Lots 5-8 shall be located at the front of the parcels. No basins shall be located on fill. Drainage shall not negatively impact neighboring properties." and adding letters i and j. to Exhibit D, Condition 29. to read: "i. Notification tha no on-street parking is allowed within the subdivision. Garages shall be maintained for use as automobile/vehicle parking. Guest parking shall be accommodated in driveways or the 3 or more guest spaces provided for the subdivision. Guest parking spaces are for use by all owners/guests of the subdivision, not designated for use by any one homeowner. j. Signage and/or paving treatments shall be provided per Five Cities Fire Authority standards alerting drivers of the prohibition of on-street parking." adopted.

Motion by: James Harrison

Second by: Don Campbell

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			
	x			

5. A hearing to consider a request by NINER WINE ESTATES, LLC to allow for a modification of their previously approved Conditional Use Permit to allow the following:
- Use of a portion of the existing hospitality building as a 4,100 square foot (sf) restaurant (limited food service facility);
 - Modification of the ordinance standard limiting a restaurant to 800 sf to allow 4,100 sf restaurant;
 - Modification of the ordinance standard to allow the restaurant to remain open until 9 p.m., 7 days per week, hours beyond the tasting room hours of 10 a.m. to 5 p.m.
- The existing uses, including a 60,000 sf wine production facility, a 4,926 sf boutique winery, a 8,840 sf hospitality building (that included a 2,000 sf commercial kitchen), and 18 annual special events (one event with up to 300 guests, three events with up to 200 guests, four events with up to 100 guests, and 10 events with up to 75 guests), would continue. The proposed project will not result in any site disturbance on the 142 acre parcel. The project is located approximately 1,300 feet northwest of Highway 46. The site is approximately one mile west of the community of Templeton. The site is in the North County Planning Area, Adelaida Sub Area. Also to be considered is the approval of the environmental document. A Class 3 categorcial exemption was issued for this project.
- County File Number: DRC2013-00117
 Assessor Parcel Number: 040-111-031
 Supervisorial District: 1
 Date Accepted: August 5, 2014
 Project Manager: Holly Phipps
 Recommendation: Approval

Bill Robeson, staff: provides reasoning for continuance request.

Thereafter on motion by Eric Meyer, seconded by Don Campbell, the Commission continues this item to February 26, 2015.

Motion by: Eric Meyer

Second by: Don Campbell

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

6. Hearing to consider a request by RICHARD C. YINGLING & VERIZON WIRELESS for a Conditional Use Permit to allow for the construction and operation of an unmanned wireless communications facility consisting of: a) three (3) new antenna sectors with three (3) directional antennas per sector mounted at a height of 45 feet above ground level attached to a 50-foot tall artificial pine tree (monopine) with

branches extending to 55 feet; b) one 11'-6" x 16'-10.5" prefabricated equipment shelter; c) one 132-gallon diesel generator on a 6' x 13 concrete slab; d) a new 6' tall chain link fence with 12' tall access gate at the lease area perimeter; e) landscape screening at the lease area perimeter to screen the chain link fence; f) associated utility trenching for the installation of power and telco lines; and g) improvement of an existing 12 foot wide access road to meet Cal Fire Standards and extending the access road by 500 feet to the proposed site along a 15 foot wide access road. The project is located on an approximately 7.42 acre parcel and will result in the disturbance of approximately 2,500 square feet (50'-0" x 50'-0" lease area and concrete pad) for the proposed facility. There will be an additional 10,816 square feet of site disturbance (190 cubic yards of cut) for the improvements and extensions of the access road. The proposed project is within the Residential Rural land use category, and is located at 6269 Hog Canyon Road, approximately 2.45 miles northeast of the City of Paso Robles, in the El Pomar-Estrella sub area of the North County planning area. Also to be considered is the approval of the environmental document. A mitigated negative declaration was issued on December 4, 2014.

County File Number DRC2013-00115

Assessor Parcel Number: 019-321-022

Supervisory District: 1

Date Accepted: July 14, 2014

Project Manager: Megan Martin

Recommendation: Approve

Commissioners: disclose ex-parte contacts.

Airlin Singewald, staff: presents staff report on behalf of Megan Martin, Project Manager: via a Power Point presentation.

David Downs, agent: is in support of all conditions of approval.

Ken Topping: opens Public Comment.

Phyllis Borges: speaks.

Commissioners: deliberate proposal.

Whitney McDonald, County Counsel: discusses the term "significant gap in coverage" in reference to this being a "term of art" and it being up to the Commission to interpret that term.

Eric Meyer: asks what the income from a lease of this type is with Mr. Downs stating between \$600.00 and \$1500.00 a month. Suggests the location be closer to the owner of the property rather than the neighbor's property.

Phyllis Borgess: expresses her concern about her property value and views.

Commissioners: discuss the possibility of relocation of cell tower.

Airlin Singewald, staff: indicates on overhead map where the facility can be moved to.

Eric Meyer: recommends staff include a topographical map when applications with different gradients come to the commission for better understanding.

Ken Topping: would like to know if staff had explored any other options for this site location with Mr. Singewald responding.

Airlin Singewald, staff: discusses a revised radio frequency analysis in terms of change of site for proposed cell tower.

David Downs, agent: suggests condition language for staff and is open to such a condition.

Ken Topping: asks if a continuance is needed with staff stating a condition can address this change.

Don Campbell: asks the agent if the site change effects the signal with Mr. Downs responding.

Eric Meyer: suggests moving the site to within 100 feet of the Yingling's property

Airlin Singewald, staff: reads into the record the revised conditions. Further states the applicant states the proposed location move would still provide sufficient coverage.

Thereafter, on motion of Don Campbell, seconded by Eric Meyer, the Commission adopts the Mitigated Negative Declaration (ED14-006) in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Conditional Use Permit DRC2013-00115 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, changing Condition 2 to read: 2. At the time of application for construction permits, the applicant shall submit to the Department of Planning and Building for review and approval revised site plan, equipment plan, antenna layout plan, and architectural elevations. The revised plans shall reflect the following change: a. The proposed monopine and associated equipment shall be relocated approximately 30 feet to the southeast such that it is backdropped by the existing conifer trees surrounding the on-site residence, as viewed from the residence at 6249 Hog Canyon Road; and adds new Condition 3. to read: 3. At the time of application for construction permits, the applicant shall submit a revised radio frequency analysis evaluating the proposed project at the revised location for compliance with the applicable FCC public exposure limits; adopted.

Motion by: Don Campbell

Second by: Eric Meyer

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

ADJOURNMENT

7. **Thereafter, on motion of Eric Meyer, seconded by Jim Harrison, the Commission accepts all correspondence entered into the record.**

Motion by: Eric Meyer

Second by: James Harrison

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			
Irving, Jim				

Thereafter, on motion of Eric Meyer, seconded by Don Campbell, the Commission adjourns to the next regularly scheduled meeting February 5, 2015.

Motion by: Eric Meyer

Second by: Don Campbell

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

Respectfully submitted,

Ramona Hedges, Secretary

San Luis Obispo County Planning Commission

Minutes approved at the February 26, 2015 Planning Commission meeting.